

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ANTHEM, INC.

Plaintiff,

vs.

EXPRESS SCRIPTS, INC.

Defendant.

**STIPULATION AND [PROPOSED]  
ORDER SEALING RESPONSE TO  
PRE-MOTION LETTER AND  
EXHIBITS**

Civil Action No. 16 Civ. 2048  
Hon. Edgardo Ramos

WHEREAS, Express Scripts, Inc. ("ESI") and Anthem, Inc. ("Anthem") entered into a Confidentiality Agreement and Stipulated Protective Order (the "Confidentiality Order") (ECF No. 48), dated December 8, 2016;

WHEREAS, Anthem and ESI have designated certain material as "Confidential" and "Highly Confidential" under the Confidentiality Order;

WHEREAS, Paragraph 32 of the Confidentiality Order requires the parties to seek the Court's permission to file any material designated as "Confidential" and "Highly Confidential" under seal consistent with applicable Court rules and procedures and publicly file a redacted copy of the Confidential Court Submission via the Electronic Case Filing System;

WHEREAS, Anthem seeks leave to file under seal a response to ESI's letter seeking a pre-motion discovery conference (the "Response to Pre-Motion Letter"), including certain exhibits that Anthem and ESI have designated "Confidential" and "Highly Confidential";

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel for ESI and Anthem that:

1. Anthem is authorized to file the Response to Pre-Motion Letter and its exhibits under seal;

2. This Stipulation may be executed in counterparts and by e-mail or facsimile transmission, each of which shall be deemed an original for purposes of this Stipulation.

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*Counsel for Express Scripts, Inc.*

**SO ORDERED.**

  
Edgardo Ramos, U.S.D.J  
Dated: 5/9/2019  
New York, New York